

Senate Amendment 3318

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1 1 Amend the Senate amendment, H=1628, to House File
1 2 619, as amended, passed, and reprinted by the House,
1 3 as follows:
1 4 #1. Page 5, by striking lines 4 through 7 and
1 5 inserting the following: <commitment, and subsequent
1 6 dismissal of the case, or upon receipt of a>.
1 7 #2. Page 9, line 28, by striking the word
1 8 <subsection> and inserting the following:
1 9 <subsections>.
1 10 #3. Page 9, by inserting after line 35 the
1 11 following:
1 12 <NEW SUBSECTION. 2A. If a person violates any of
1 13 the requirements of section 692A.4, the person shall
1 14 register for an additional ten years beginning from
1 15 the date the first registration period ends as
1 16 calculated under subsection 1 or from the date the
1 17 special sentence ends under subsection 1A if the
1 18 person received a special sentence, whichever is
1 19 longer.>
1 20 #4. Page 10, line 39, by inserting after the word
1 21 <supervision.> the following: <However, if the person
1 22 committed a criminal offense against a minor, or an
1 23 aggravated offense, sexually violent offense, or other
1 24 relevant offense that involved a minor, the person
1 25 shall be supervised by an electronic tracking and
1 26 monitoring system in addition to any other conditions
1 27 of release.>
1 28 #5. Page 11, line 42, by inserting after the word
1 29 <photograph,> the following: <the results of any risk
1 30 assessment.>.
1 31 #6. Page 11, by inserting after line 50 the
1 32 following:
1 33 <Sec. _____. NEW SECTION. 692A.13A ASSESSMENT OF
1 34 RISK.
1 35 1. The department of corrections, the department
1 36 of human services, and the department of public safety
1 37 shall, in consultation with one another, develop
1 38 methods and procedures for the assessment of the risk
1 39 for persons required to register under this chapter on
1 40 or after the effective date of this division of this
1 41 Act, who have committed a criminal offense against a
1 42 minor, or an aggravated offense, sexually violent
1 43 offense, or other relevant offense that involved a
1 44 minor. The department of corrections, in consultation
1 45 with the department of human services, the department
1 46 of public safety, and the attorney general, shall
1 47 adopt rules relating to assessment procedures. The
1 48 assessment procedures shall include procedures for the
1 49 sharing of information between the department of
1 50 corrections, department of human services, the
2 1 juvenile court, and the division of criminal
2 2 investigation of the department of public safety, as
2 3 well as the communication of the results of the risk
2 4 assessment to criminal and juvenile justice agencies.
2 5 The assignment of responsibility for the assessment of
2 6 risk shall be as follows:
2 7 a. The department of corrections or a judicial
2 8 district department of correctional services shall
2 9 perform the assessment of risk for persons who are
2 10 incarcerated in institutions under the control of the
2 11 director of the department of corrections, persons who
2 12 are under the supervision of the department of
2 13 corrections or a judicial district department of
2 14 correctional services, and persons who are under the
2 15 supervision or control of the department of
2 16 corrections or a judicial district department of
2 17 correctional services through an interstate compact.
2 18 b. The department of human services shall perform
2 19 the assessment of risk for persons who are confined in
2 20 institutions under the control of the director of
2 21 human services, persons who are under the supervision
2 22 of the department of human services, and persons who
2 23 are under the supervision or control of the department
2 24 of human services through an interstate compact.

2 25 c. The division of criminal investigation of the
2 26 department of public safety shall perform the
2 27 assessment of risk for persons who have moved to Iowa
2 28 but are not under the supervision of the department of
2 29 corrections, a judicial district department of
2 30 correctional services, or the department of human
2 31 services; federal parolees or probationers; persons
2 32 who have been released from a county jail but are not
2 33 under the supervision of the department of
2 34 corrections, a judicial district department of
2 35 correctional services, a juvenile court officer of the
2 36 judicial branch, or the department of human services;
2 37 and persons who are convicted and released by the
2 38 courts and are not incarcerated or placed under
2 39 supervision pursuant to the court's sentencing order.
2 40 Assessments of persons who have moved to Iowa and
2 41 persons on federal parole or probation shall be
2 42 performed on an expedited basis if the person was
2 43 classified as a person with a high degree of
2 44 likelihood of reoffending by the other jurisdiction or
2 45 the federal government.

2 46 d. A juvenile court officer shall perform the
2 47 assessment of risk for a juvenile who is adjudicated
2 48 delinquent for a criminal offense listed in section
2 49 692A.1 and who is under the juvenile court officer's
2 50 supervision.

3 1 2. The department of public safety shall be
3 2 responsible for disclosing the assessment of risk
3 3 information to a criminal or juvenile justice agency
3 4 for law enforcement, prosecution, or for public
3 5 notification purposes. The results of the assessment
3 6 of risk shall be disclosed as other relevant
3 7 information is disclosed under section 692A.13.>

3 8 #7. Page 12, line 9, by inserting after the word
3 9 <offender> the following: <, or to a person who is
3 10 married to and living with a person required to
3 11 register as a sex offender>.

3 12 #8. Page 18, by striking lines 9 through 11 and
3 13 inserting the following: <crime victim center as
3 14 defined in section 915.20A.>

3 15 #9. Page 19, by inserting after line 19 the
3 16 following:

3 17 <4. A peace officer is not civilly or criminally
3 18 liable for actions taken in good faith pursuant to
3 19 this section.>

3 20 #10. Page 20, lines 33 and 34, by striking the
3 21 words <, the victim's family.>.

3 22 #11. Page 21, by striking lines 35 and 36, and
3 23 inserting the following: <members of the general
3 24 assembly selected by the legislative council and
3 25 representatives of the following:

3 26 _____. One representative from the state department
3 27 of transportation.

3 28 _____. One representative of the Iowa civil
3 29 liberties union.>

3 30 #12. Page 22, by inserting after line 5 the
3 31 following:

3 32 <DIVISION ____
3 33 SEVERABILITY CLAUSE

3 34 Sec. _____. SEVERABILITY CLAUSE. If any provision
3 35 of this Act or its application to any person or
3 36 circumstance is held invalid, the invalidity does not
3 37 affect other provisions or application of this Act
3 38 which can be given effect without the invalid
3 39 provision or application, and to this end the
3 40 provisions of this Act are severable.>

3 41 #13. By renumbering as necessary.

3 42 HF 619.H
3 43 jm/es/25